



# STATE LEGISLATIVE REPORT

## Mayor and Council Position Chart

May 14, 2008

Bill #	Sponsor	Title
HB 2091	<b>BIGGS</b> <b>Oppose</b>	<b>Transportation plans; ballot; mode delineation</b> ID: 1/11/2008 LA: 1/31/2008 - TRANS HELD State or county transportation plans that are submitted for voter approval must appear on the ballot which each mode of transportation and its costs clearly delineated. Voters must be allowed to vote yes or no on each transportation mode separately.
HB 2092	<b>BIGGS</b> <b>Oppose</b>	<b>Motor vehicle accidents; death; injury (NOW: transportation plans; ballot format)</b> ID: 1/11/2008 LA: 3/17/2008 - THIRD READ 26 31 3 0 Y FAILED 26 33 1 0 Y FAILED Expands the enumerated underlying moving violations that may result in a charge of causing serious physical injury or death by a moving violation, causing death by use of a vehicle or causing serious physical injury by use of a vehicle to include certain traffic lane violations and certain right-of-way violations. A person convicted of a second (or subsequent) violation of causing serious physical injury or death by a moving violation during a period of 36 months shall have his/her driving privilege suspended for 90 days if the second (or subsequent) violation results in serious physical injury. A person convicted of a second (or subsequent) violation of causing death by a moving violation during a period of 36 months shall have his/her driving privilege suspended for 90 days if the second (or subsequent) violation results in death.
HB 2094	<b>BIGGS</b> <b>Support</b>	<b>Highway project advancement notes</b> ID: 1/11/2008 LA: 5/13/2008 - MINORITY CAUCUS Y Definition of excise taxes is expanded to include taxes imposed by a county, city or town (formerly, limited to city or town). Definition of highway project is expanded to include a transportation improvement plan of a regional association of governments.
HB 2155	<b>PATON</b> <b>Support</b>	<b>Transfer of development rights</b> ID: 1/12/2008 LA: 5/1/2008 - ACTION SIGNED  Before any transfer of development rights, a municipality shall adopt an ordinance providing for the right of a municipality at its discretion to enter into an intergovernmental agreement with another municipality for the transfer of development rights between jurisdictions. The board of supervisors of a county may authorize the transfer of development rights from unincorporated areas of a county to a municipality. Makes the current authority to transfer development rights permanent (was set to self-repeal on January 1, 2010).
HB 2221	<b>PATON</b> <b>Oppose</b>	<b>County subdivisions; notification</b> ID: 1/16/2008 LA: 4/7/2008 - GOV (4-3-0-0) DPA/SE If a reservation of an area within a subdivision for public use terminates due to a public agency's failure to exercise the reservation, the agency must notify the subdivider within 14 days of the termination.
HB 2445	<b>PEARCE</b> <b>Oppose</b>	<b>Appeals; technical correction (NOW: MVD; authorized third party fees)</b> ID: 1/18/2008 LA: 4/8/2008 - TRANS (4-0-1-0) DP

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		Includes third parties that collect aircraft license payments on behalf of the state in the program that allows and pays a fee to third parties that collect motor vehicle license taxes. Also program participants may retain \$1 for each replacement license plate or tab they process. Changes the maximum amount that can be retained by those who file their fuel tax report electronically to \$1.5 million each year through 2012-2013 (previously, \$1.5 million could be retained only the first year of electronic filing). Beginning in 2013-2014, the maximum annual amount that may be retained is \$480,000 (previously, \$360,000). AS PASSED HOUSE.
HB 2466	NELSON Support	<b>Critical infrastructure information; disclosure</b> ID: 1/18/2008 LA: 4/22/2008 - ACTION SIGNED Critical infrastructure information provided to local governments is exempt from public disclosure. Previously, only information provided to DPS was exempt.
HB 2585	YARBROUGH Neutral	<b>General obligation bond requirements</b> ID: 1/18/2008 LA: 5/13/2008 - COW ACTION 1 DP 0 0 0 0 Various changes in the public notice required when a political subdivision intends to issue bonds. Information contained in the publicity pamphlet prepared for the bond election is changed to include an estimated tax impact of debt service on a representative parcel of Class 1 (commercial) and Class 3 (owner-occupied residence) property must be based on projections assuming an annual appreciation of property value equal to 50% of the estimated annual increase in secondary value of the property (formerly, the tax impact calculation was made assuming a constant assessed value). The pamphlet must also include notification if the proposed bond will, when combined with the jurisdiction's current outstanding debt, exceed the entity's constitutional debt limit if all such debt were to be issued at the same time. Issuing bonds to re-finance debt that has already been approved by voters will need to be re-approved by voters if the average maturity of the re-funding bonds is less than 75% of the weighted average maturity of the bonds being re-funded. (Formerly, re-funding bonds were exempt from
HB 2598	ADAMS Support	<b>State capitol restoration recapture districts</b> ID: 1/18/2008 LA: 1/30/2008 - SECOND READ  Counties, municipalities, and the Board of Regents may establish an Economic Recapture District (ERD) for the purpose of making expenditures for facilities for tourism, entertainment, conventions, public safety, streets, utilities, and parks. An ERD is a special taxing district that may issue bonds and must be formed by election. For sales tax paid within an ERD, 15% of net new sales tax from the municipal and state shared revenue base amount is paid monthly to the newly established State Capitol Restoration Trust Fund to be used for restoring, renovating, and maintaining the state capitol building, and 85% is paid to the ERD. The State Capitol and Economic Recapture Oversight Commission is established to review capital infrastructure improvement plans for the restoration and improvement of the state capitol building.
HB 2641	MURPHY Oppose	<b>Urban revenue sharing; tax credit.</b> ID: 1/18/2008 LA: 3/12/2008 - APPROP (9-6-0-2-0) DP Retroactive to the tax year beginning Jan 1, 2008, residents who live outside the boundaries of any incorporated city or town are allowed a credit against their income tax in an amount equal to 15% of their liability after all other credits have been applied. Beginning is fiscal 2008-09, the Urban Revenue Sharing Fund is reduced by the total amount claimed by rural taxpayers using this credit. A purpose section states that the intent of this act is to relieve rural taxpayers from the burden of the urban revenue sharing program.
HB 2672	BIGGS Oppose	<b>Small installment loan act</b> ID: LA: - FIIR (3-2-0-0) DPA For consumer loans of between \$200 and \$3,000, a lender is permitted to charge an acquisition fee and a monthly handling charge instead of interest. Loans must be for a term of between five and twelve months. Self-repeals on July 1, 2016. AS PASSED HOUSE.

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SB 1044	BLENDU Oppose	<b>Haulage roadways; technical correction</b> ID: 12/16/2007 LA: 2/27/2008 - NRR (4-2-1-0) DPA/SE Authorizes the Director of the Department of Water Resources (Director) to issue a temporary cease and desist order, and suspend or revoke a permit if the Director finds that the hydrology report for an underground water storage facility is flawed. Additionally, outlines what is considered unreasonable harm for purposes of issuing a permit.
SB 1084	BLENDU Oppose	<b>Enduring freedom memorial; extension</b> ID: 1/11/2008 LA: 4/8/2008 - GOV (6-0-0-2-0) DP The date by which the Enduring Freedom Memorial must be completed is extended to Dec 31, 2010, from August 25, 2007. Emergency clause.
SB 1214	JOHNSON Oppose	<b>Concealed weapons; school grounds</b> ID: LA: - MINORITY CAUCUS Y The prohibition against carrying a weapon onto school grounds does not apply to persons who possess a valid concealed carry permit. For purposes of this section of statute, the definition of "school" is expanded to include community colleges as well as universities, both public and private.
SB 1239	BLENDU Oppose	<b>Deferred presentment transactions; regulations</b> ID: LA: - MINORITY CAUCUS Y Information in the annual license renewal application required to be submitted by payday loan companies (officially termed deferred presentment companies) is expanded to include (for the previous calendar year): the total number and dollar amount of loans, the average annual percentage rate, average dollar amount, average length of term for loans, total dollar amount of fees collected, the total amount written off, and the total number of customers that entered into more than one loan transaction. The Dept of Financial Institutions is to aggregate the information and report to the Legislature and governor by Nov 1 each year. Laws authorizing payday loan transaction in the state, due to sunset on July 1, 2010 are extended two years to July 1, 2012. In session law, the Dept of Financial Institutions is to conduct a review by July 1, 2010, of information reported annually by the companies and of comparable loan rates and terms.
SB 1254	BURNS Oppose	<b>Urban revenue sharing; tax credit</b> ID: LA: - FIN (5-3-0-0) DP Retroactive to the tax year beginning Jan 1, 2008, residents who live outside the boundaries of any incorporated city or town are allowed a credit against their income tax in an amount equal to 15% of their liability after all other credits have been applied. Beginning in fiscal 2008-09, the Urban Revenue Sharing Fund is reduced by the total amount claimed by rural taxpayers using this credit. A purpose section states that the intent of this act is to relieve rural taxpayers from the burden of the urban revenue sharing program.
SB 1260	CHEUVRONT Oppose	<b>Municipal elections; tax incentives; increases</b> ID: LA: - WM (3-5-0-2-0) FAILED Municipal elections on tax issues, including issues related to tax incentives, must take place on the statewide primary date in general election years
SB 1260	CHEUVRONT Oppose	<b>S/E Government Property Lease Excise Tax (GPLET)</b> ID: LA: - WM (3-5-0-2-0) FAILED The proposed strike-everything amendment will repeal the current rates and replace it with a tax that is comparable to the property tax. Additionally, for current leases the tax can be discounted but will increase as the leasehold interest ages, instead of decreasing as in the case of the current rate. Leases that are granted the eight-year abatement period must be conveyed to the prime lessee at the end of the abatement period and placed on the property tax rolls.
SB 1345	GRAY	<b>Architect specialist certification</b>

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	<b>Oppose</b>	<b>ID: LA: - SECOND READ</b> A specialist certification for architects is created for architects who meet qualifications as established by the Board of Technical Registration. Plans submitted to a public entity by a certified architectural specialist are to be approved without a formal review process.
<b>SB 1360</b>	<b>CHEUVRONT</b>	<b>Government property lease tax reform</b>
	<b>Oppose</b>	<b>ID: LA: - MINORITY CAUCUS Y</b> Makes several changes to statutes relating to government property lease excise tax, including adding to the definition of "government lessor," adding a provision regarding improvements on government leased property and changing the rate of the tax. Much more. Effective January 1, 2009.
<b>SB 1480</b>	<b>BURNS</b>	<b>Authorized third party fees; MVD</b>
	<b>Oppose</b>	<b>ID: LA: - TRANS HELD</b> The Motor Vehicle Division may authorize a third party electronic service provider to provide information technology services. Reimbursements to authorized third parties for registration fees are increased to \$2, and reimbursements are established for aircraft license tax payments at 2% of each payment and for replacement license plates at \$1 per plate. The maximum reimbursement to third parties for fuel taxes is changed to \$1.5 million each year in FY2009 through FY2013, and \$480,000 each year beginning in FY2014.
<b>SB 1484</b>	<b>VERSCHOOR</b>	<b>Prime contracting deduction; university improvements</b>
	<b>Support</b>	<b>ID: LA: - SECOND READ</b> Establishes a mechanism to distribute prime contracting construction tax revenues collected for construction of buildings for the benefit of a state university to municipalities that make infrastructure improvements related to university buildings, to offset part of the cost of the infrastructure improvements.
<b>SB 1491</b>	<b>GORMAN</b>	<b>Subdivision reports; notice</b>
	<b>Neutral</b>	<b>ID: LA: - MINORITY CAUCUS Y; Conference committee recommended</b> Original Mayor and Council Position - Oppose; After House Floor Amendment - Mayor and Council are Neutral  Beginning Jan 1, 2009, a subdivider must record all public reports and amendments to public reports on the property in the county in which the property is located. Likewise, a seller of unsubdivided land must record public notices and amendments in the county in which the land is located. If the Real Estate Dept determines a violation of statutes pertaining to subdividing has occurred, the dept must record a public notice, stating among other things, that no building permits are allowed to be issued for the land until appropriate approval is acquired.
<b>SB 1492</b>	<b>GORMAN</b>	<b>Payday loans; repeal termination date</b>
	<b>Oppose</b>	<b>ID: LA: - FIIR HELD</b> Sunset of statutory provisions authorizing payday loans (officially called the deferred presentment licensing program) is repealed, making the authorization permanent.
<b>SCR 1028</b>	<b>JOHNSON</b>	<b>Public gifts; loans</b>
	<b>Oppose</b>	<b>ID: LA: - FIIR (3-2-0-0) DP</b> Clarifies that the prohibition against a government entity making donations of grants to a private sector entity is for any "public or private purposes."